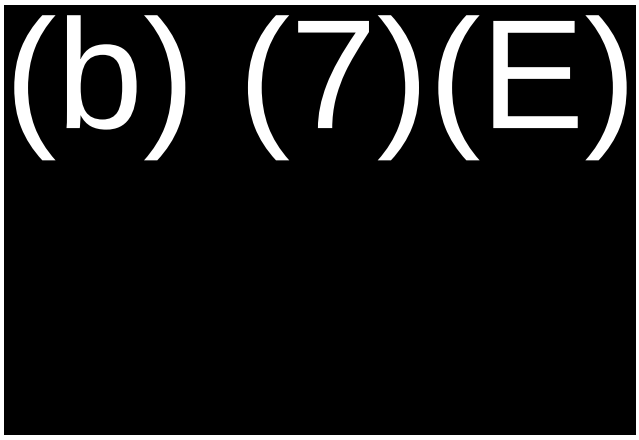
FACT SHEET – ~~INTERNAL ONLY~~

Environmental Stewardship Initiatives for
PF225 Fence Construction along the Southwest Border
U.S. Border Patrol El Centro Sector
August 2010

U.S. Customs and Border Protection

The following is a summary of the environmental stewardship initiatives undertaken by U.S. Customs and Border Protection (CBP) during the planning, construction, and post-construction stages associated with installing tactical infrastructure (TI) along the U.S./Mexico International Border in the U.S. Border Patrol (USBP) El Centro Sector for TI sections (b) (7)(E) " TI is a term used by the USBP to describe the physical structures that facilitate enforcement activities. These items typically include, but are not limited to, roads, vehicle and pedestrian fences, lights, gates, and boat ramps. TI constructed under CBP's Secure Border Initiative (SBI) Pedestrian Fence 225 (PF225) Program within the El Centro Sector consisted of vehicle and pedestrian fence, lights, and construction/maintenance roads along the U.S./Mexico International Border in Imperial County, California. Temporary construction staging areas and access roads were also required to build the TI. This Fact Sheet provides the environmental impacts anticipated during pre-construction planning and those actually encountered during and following construction. In addition, it describes stakeholder outreach efforts that were carried out during all phases of the project, contributing partners, and any continuing issues.



Vehicle Fence Type-2 (VF-2)
Section (b) (7)(E)

Personal Fence Type-2 (PV-1)
Section (b) (7)(E)

On April 1, 2008, the Secretary of the U.S. Department of Homeland Security (DHS), pursuant to Section 102(c) of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996, as amended, exercised the waiver authority and waived certain environmental and other laws in order to ensure the expeditious construction of TI along the U.S./Mexico International Border. The TI described in this Fact Sheet is covered by the Secretary's April 1, 2008, waiver. Although the Secretary's waiver means that CBP no longer has any specific legal obligations under the laws that are included in the waiver, the Secretary has committed DHS to responsible environmental stewardship of our valuable natural and cultural resources. CBP strongly supports the Secretary's commitment to responsible environmental stewardship. To that end, CBP prepared a pre-construction Environmental Stewardship Plan (ESP), which analyzed the potential environmental impacts associated with construction of TI. Following construction, CBP prepared an Environmental Stewardship Summary Report (ESSR), which compared the final completed action to the original planned for installation of TI.

The following is a summary of CBP's environmental stewardship efforts.

- CBP carried out environmental stewardship efforts before, during, and after construction.
- Environmental impacts that resulted from this project were both positive and negative.

- Best Management Practices (BMPs) were developed and carried out to minimize negative environmental impacts.
- Stakeholder public outreach was conducted during all phases of the project. Some of the stakeholder input resulted in changes to the project.
- CBP participated in interagency and intergovernmental coordination activities to help minimize potential environmental impacts and streamline environmental processes. Some of the input resulted in changes to the project, such as the locations of construction access roads and the actual fence design.

After construction within the El Centro Sector, the following were determined:

- No impacts on cultural resources occurred.
- Impacts on wetland areas did occur; however, the impacted area was not more than the approximately (b) (7)(E) acres estimated in the ESP prior to construction.
- Approximately (b) (7)(E) acres of land were disturbed from the installation of TI. This represents a reduction of (b) (7)(E) acres from that expected in the ESP.
- There were no known adverse impacts to federally listed species and critical habitats of federally listed species.

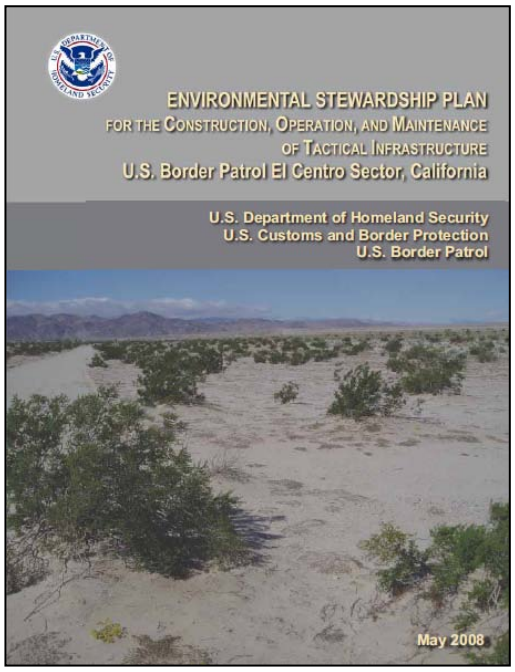
ENVIRONMENTAL STEWARDSHIP COMPONENTS

CBP carried out environmental stewardship initiatives during all phases of the project – before, during, and after construction. Each component is discussed in the following paragraphs.

PRE-CONSTRUCTION

Environmental Stewardship Plan – In 2008, prior to construction, CBP developed an ESP for the USBP El Centro Sector.

- May 2008 – *Environmental Stewardship Plan for the Construction, Operation, and Maintenance of Tactical Infrastructure U.S. Border Patrol El Centro Sector, California.*



The ESP discusses the unique biological, geographical, and environmental conditions associated with the USBP El Centro Sector and includes BMPs designed to reduce and offset potential environmental impacts. The ESP remains available to the public and is posted online at http://cbp.gov/xp/cgov/border_security/ti/ti_docs/.

Biological Resources Field Surveys and Plans – CBP carried out pre-construction surveys to identify existing vegetation and wildlife within the area of the proposed fence and construction/maintenance road corridor, construction staging areas, and construction access roads. Subsequently, in May 2008 a BRP was developed in coordination with the U.S. Fish and Wildlife Service to summarize findings and incorporate them into the ESP.

- May 2008 – *Biological Resources Plan for Construction, Operation, and Maintenance of Tactical Infrastructure for El Centro Sector, California, Yuma Sector, Arizona.*

Special attention was paid to identifying federally listed species and critical habitats of federally listed species within the project area.

Estimated Footprint – It was estimated prior to construction that approximately (b) (7)(E) acres of land would be disturbed from the installation of TI in the USBP El Centro Sector.

Examples of potential environmental impacts and the BMPs and mitigation measures to minimize these impacts are listed in **Table 1.** Not all anticipated environmental impacts were adverse; in fact, some were positive. CBP predicted that the installation of TI would accomplish the following:

- Reduce the amount of smuggling and illegal immigration, which would have a beneficial effect on national security, biological resources, socioeconomics, and land management operations.

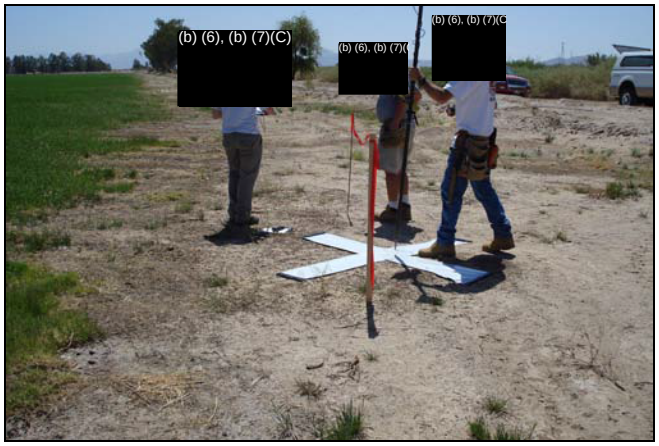
- Reduce foot traffic and illegal grazing in sensitive habitats, which would result in beneficial impacts on threatened and endangered species and their habitats as well as substantially decease the risk of wildfires.

Table 1. Potential Environmental Impacts and BMPs/Mitigation Measures Identified Prior to Construction

Potential Environmental Impact (Cultural, Species, Wetlands)	BMPs and Mitigation Measures to Reduce or Eliminate the Potential Environmental Impact
Discovery of cultural resources in work area	• Halt construction until authorized to proceed by a qualified archaeologist who will consult with appropriate resource agencies • Place temporary fencing around International Boundary Monuments
Discovery of federally protected species in work area	• Halt construction until an environmental monitor can safely remove the protected species or it moves away on its own
Wildlife impacts due to construction, fencing, and habitat fragmentation	• Survey the area for migratory bird nests immediately prior to construction • Integrate openings into fence design to allow small animals to pass through • Cap vertical bollards to prevent birds from falling inside • Cover open, steep-walled holes to prevent wildlife from falling in and becoming trapped
Introduction of invasive species	• Wash equipment prior to use to minimize introduction of nonnative species • Remove only the minimum amount of natural vegetation • Remove invasive species that appear
Change in size of wetlands and surface waters	• Halt construction during heavy rains • Design fence to allow for conveyance of water • Avoid stream crossings at channel bends when practical alternatives exist

DURING CONSTRUCTION

CBP contracted independent environmental monitors (i.e., for biological and cultural resources) to be present during all construction activities. Their responsibilities included documenting adherence to the BMPs prescribed in the ESPs, identifying environmental impacts that occurred beyond those predicted in the ESPs, and ensuring that federally listed species and cultural resources were not impacted by the TI construction activities. CBP's environmental monitors worked approximately 1,000 man-hours during construction activities, which occurred from July 2008 to February 2009.



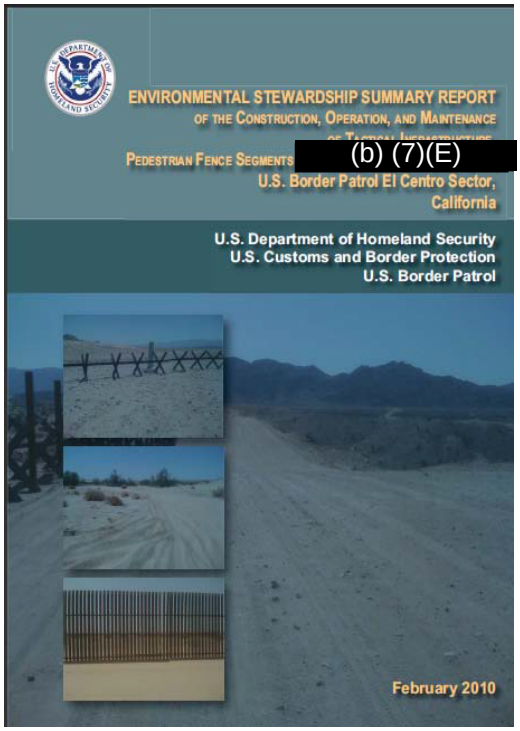
An environmental monitor (left) takes notes during the early stages of TI construction at (b) (7)(E)

The environmental monitors reported that most BMPs prescribed in the ESPs were followed; see **Table 1** for examples of BMPs. However, some deviations did occasionally occur, including the following:

- Unnecessary off-road driving
- Parking vehicles at undesignated areas
- Establishing and utilizing a non-designated construction access road.

No known impacts on federally listed species were documented as a result of these infractions. Revegetation efforts were conducted, as needed, to replace any vegetation lost from these infractions.

Unexpected field conditions during construction occasionally required practical changes to the plan for placement and design of the TI. In these situations, CBP conducted additional environmental surveys and analyses to determine the potential environmental impacts and the appropriate BMPs needed to support the changes. Most changes to the design and placement of the TI were minor and included slight refinements of fence type and footprint to meet operational requirements.



POST-CONSTRUCTION

Environmental Stewardship Summary Report – CBP conducted post-construction field surveys of biological and cultural resources and prepared an El Centro Sector level ESSR.

- February 2010 – *Environmental Stewardship Summary Report of the Construction, Operation, and Maintenance of Tactical Infrastructure Pedestrian Fence Segments* (b) (7)(E) *and* (b) (7)(E) *U.S. Border Patrol El Centro Sector, California*.

The ESSR provides the following information:

- Identification of the final locations of TI and acreages of areas impacted
- An environmental baseline for future TI maintenance and repair efforts
- Documentation of the overall adherence and successes of the BMPs implemented during construction
- A record of the differences between the final locations and types of TI and those that were identified in the ESP.

CBP's post-construction field surveys found that (b) (7)(E) acres of land were disturbed from the installation of TI in the USBP El Centro Sector. **Table 2** summarizes the estimated pre-construction and actual post-construction ground disturbance totals in the El Centro Sector.

Table 2. Estimated Pre-Construction and Actual Post-Construction Permanent Ground Disturbance

Construction Activity	Estimated Disturbance in Acres (linear miles)	Actual Disturbance in Acres (linear miles)	Difference in Acres (linear miles)
Fence and Construction/Maintenance Road Corridor	(b) (7)(E)		
Construction Access Roads			
Construction Staging Areas			
Total Impacts			

The overall reduction in disturbed area from that anticipated prior to construction is attributed to a reduction in the width of the fence and construction/maintenance road corridor as well as a reduction in the overall size of the construction access roads and staging areas. Approximately 30 percent of the area proposed for the fence and construction/maintenance road corridor, 35 percent of the area proposed for construction access roads, and 40 percent of the area proposed for construction staging areas were not needed, and therefore, were not disturbed.

Completed vehicle fence in Section (b) (7)(E)

Additionally, CBP's post-construction field surveys concluded that:

- No impacts on cultural resources occurred.
- Impacts on wetland areas did occur; however, the impacted area was not more than the approximately (b) (7)(E) acres predicted in the ESP.
- Approximately (b) (7)(E) acres of land were disturbed from the installation of TI. This represents a reduction of (b) (7)(E) acres from that expected in the ESP.

- There were no known adverse impacts to federally listed species and critical habitats of federally listed species. **Table 3** illustrates the number of impacts anticipated prior to construction with the actual number of impacts.

Table 3. Estimated Pre-Construction and Post-Construction Impacts to Federally Listed Species

Method for Species Count	Animals		Plants	
	Species	Critical Habitat	Species	Critical Habitat
Federally listed species and suitable habitat identified in the Biological Resources Plan	2	1	0	0
Federally listed species observed during pre-construction surveys[a] or construction monitoring[b] within the project area	1	0	0	0
Federally listed species and suitable habitat impacted by construction	0	0	0	0

Notes: [a] Based on the proposed project area [b] Based on surveys and monitoring of revised project areas

STAKEHOLDER OUTREACH ACTIVITIES

Throughout all phases of this project, CBP reached out to stakeholder organizations and regulatory agencies to incorporate their input as potential environmental impacts were identified, evaluated, and mitigated, as necessary. Outreach efforts included the following:

- **Open House** – The general public was invited to receive information and provide comments at an open house on January 9, 2008 at the Imperial Valley Expo in Imperial, California.
- **Incorporation of Comments** – CBP solicited comments from the following:
  - Federal, state, and municipal government agencies
  - Non-government organizations
  - Native American tribes
  - Stakeholder organizations
  - Private individuals.
- **Government Agency Coordination** – CBP directly coordinated with government agencies including the following:
  - U.S. Section, International Boundary and Water Commission
  - U.S. Army Corps of Engineers
  - U.S. Fish and Wildlife Service
  - U.S. Bureau of Land Management.

For the El Centro Sector, dozens of comments were received, considered, and incorporated into the ESP by CBP. The information received from the outreach efforts resulted in numerous changes to the project, including the location of construction access roads, placement of construction staging areas, and design of fence components to minimize potential environmental impacts.

CONTRIBUTING PF225 PROGRAM PARTNERS

To accomplish the 2006 Congressional mandate for the DHS/CBP to construct approximately 700 miles of border fence along the U.S./Mexico International Border by the end of December 2008, the DHS enlisted the assistance and expertise of interagency departments and other governmental agencies to provide management and subject matter experts for environmental stewardship, construction, real estate acquisition, and contracting tasks. Contributing partners include the following:

- Office of Border Patrol
  - El Centro Sector
- U.S. Army Corps of Engineers
  - Fort Worth District
  - Los Angeles District.

CONTINUING ISSUES

CBP's post-construction surveys identified two continuing issues:

- (b) (7)(E)
- (b) (7)(E)

CBP remains committed to environmental stewardship and will continue to monitor this issue for potential additional actions.